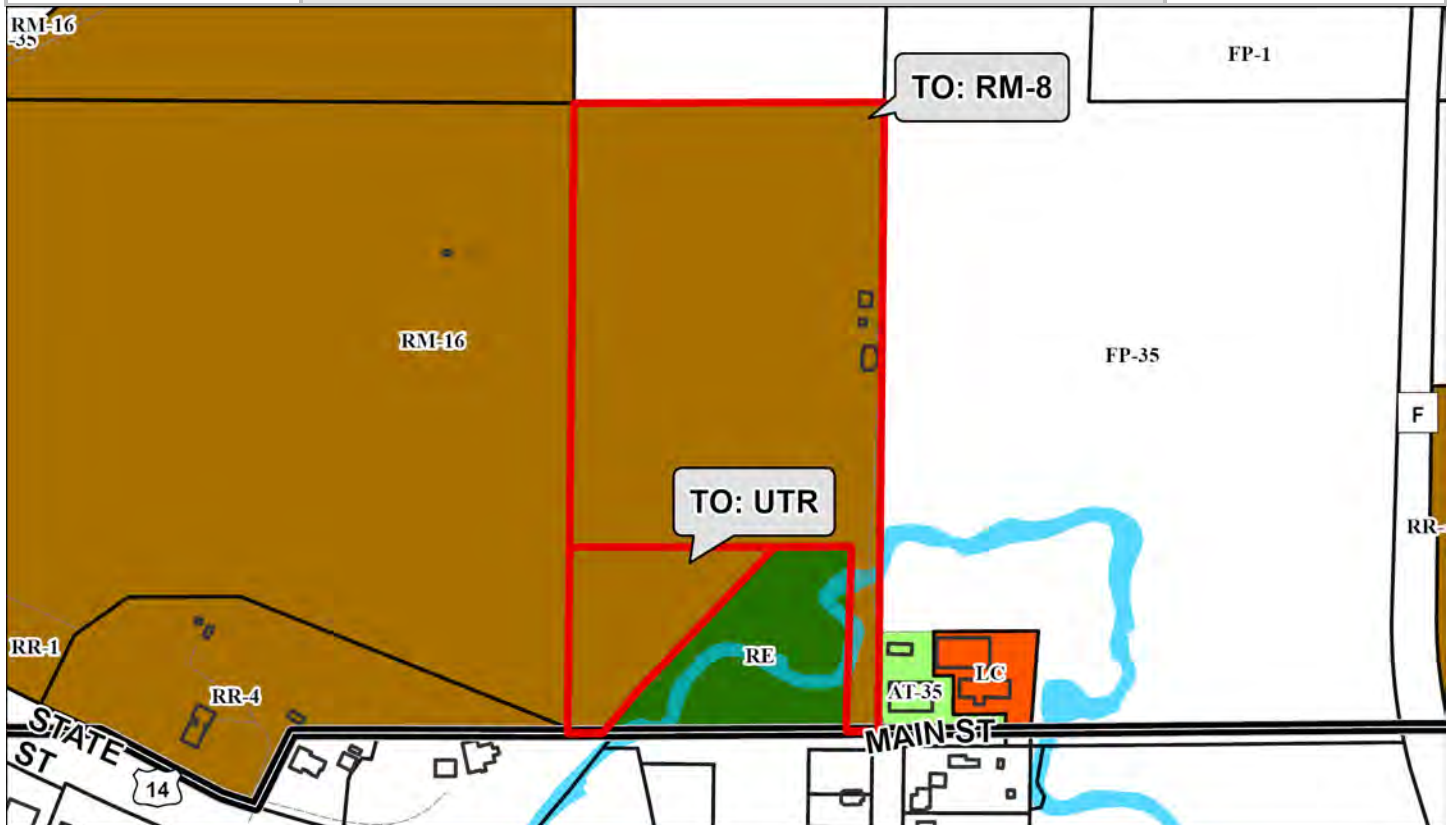


**Staff Report****Zoning & Land  
Regulation  
Committee**Public Hearing: July 22, 2025Zoning Amendment Requested:**RM-16 Rural Mixed-Use District TO the RM-8 Rural Mixed-Use District  
and the UTR Utility, Transportation and ROW District**Size: 14.33, 2.24 AcresSurvey Required: YesReason for the request:**SHIFTING PROPERTY LINE BETWEEN ADJACENT LANDOWNERS ON  
PROPERTIES IN THE VILLAGE AND TOWN****Petition 12176**Town, Section:**BLACK EARTH, Section  
26**Applicant:**MICHAEL AND  
CHRISTINA RYAN**Address:

**DESCRIPTION:** The Ryans request to rezone their 16.5-acre property in order to sell roughly 2 acres to the Adlers, who own an abutting residential property to the south in the Village of Black Earth. The Ryans would reduce the size of their lot, rezone it to RM-8 based on the new lot size, and have it surveyed as a certified survey map (CSM) lot. The Ryan property is currently described with a metes and bounds description. Two acres would be rezoned to the UTR district as a temporary placeholder zoning, so that the Adlers can purchase the land, annex it into the Village, and consolidate it into their residential lot under village zoning and a separate CSM.

**OBSERVATIONS:** The proposed (Ryan) lot conforms to the requirements of the proposed zoning districts and county ordinances. Unlike most petitions of this kind, the land being rezoned to UTR will not be required to be part of the same CSM, as the intent is to establish that land in a CSM lot within the Village of Black Earth. This petition will result in two separate CSMs, one in the town, one in the village.

The Ryans' land division is also subject to review by the Village of Black Earth under its extraterritorial jurisdiction.

**COMPREHENSIVE PLAN:** The request is in the Agricultural Preservation Planning District. The Town of Black Earth has a 1 home per 35 acres density policy. As the request does not create a new buildable lot, it is consistent with the Town's Comprehensive Plan and density policy. For questions about the town plan, contact Senior Planner Curt Kodl at (608) 266-4183 or [Kodl.Curt@danecounty.gov](mailto:Kodl.Curt@danecounty.gov).

**RESOURCE PROTECTION:** The southerly part of the Ryan property is subject to shoreland zoning, due proximity to Black Earth Creek. No concerns or permit comments, as no new development is proposed with this petition.

**TOWN ACTION:** On June 3<sup>rd</sup>, the Town Board recommended approval of the petition with no conditions.

**STAFF RECOMMENDATION:** Pending any comments at the public hearing, Staff recommends approval of the petition subject to the Ryans recording the CSM for their new lot boundary and the following condition:

1. The UTR land shall be annexed to the Village of Black Earth, for rezoning and consolidation under the Village's jurisdiction.

Please contact Rachel Holloway at (608) 266-9084 or [holloway.rachel@danecounty.gov](mailto:holloway.rachel@danecounty.gov) if you have questions about this petition or staff report.